

# **EXHIBITS A-C**

# EXHIBIT A

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Press Release

Source: Shepherd, Finkelman, Miller &amp; Shah, LLC

## Shepherd, Finkelman, Miller & Shah, LLC Files Class Action Lawsuit Against Xybernaut Corporation -- XYBRE

Friday April 15, 12:23 pm ET

HARTFORD, Conn., April 15 /PRNewswire-FirstCall/ -- Shepherd, Finkelman, Miller & Shah, LLC ( <http://www.classactioncounsel.com>; e-mail: [jmiller@classactioncounsel.com](mailto:jmiller@classactioncounsel.com) ), a law firm with offices in Connecticut, Pennsylvania, New Jersey and Florida, announces that it has filed a lawsuit seeking class action status in the United States District Court for the District of Delaware on behalf of all persons (the "Class") who purchased the securities of Xybernaut Corporation (Nasdaq: [XYBRE](#) - [News](#); "Xybernaut" or the "Company") during the period March 27, 2003 and April 8, 2005 (the "Class Period"). A copy of the Complaint may be obtained from the Court, or you can call our offices toll free at either 866/540-5505 or 877/891-9880 to speak with an attorney regarding this matter and we will send you a copy of the Complaint.

The Complaint charges Xybernaut, Edward G. Newman, Steven A. Newman, M.D., and Thomas D. Davis with violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder. More specifically, the Complaint alleges that the Company omitted or misrepresented material facts about its financial condition, business prospects, revenue expectations and internal controls during the Class Period.

On March 14, 2005, Xybernaut announced that it was seeking an extension of time within which to file its annual report with the Securities and Exchange Commission ("SEC"). On March 31, 2005, after the close of trading, Xybernaut belatedly revealed that it was in dire financial and regulatory straits. The Company issued a press release that day, which stated, in part: "Xybernaut Corporation (Nasdaq: [XYBR](#) - [News](#)) announced today that the filing of its Form 10-K and other related reports for the year ended December 31, 2004, anticipated to occur today, will be further delayed, pending completion of an internal investigation undertaken by its Audit Committee." The press release stated that independent counsel had been engaged to assist in an internal investigation of, "among other things, concerns brought to the Audit Committee's attention relating to the internal control environment of the Company, the propriety of certain expenditures and the documentation of certain expenses of the Chairman and CEO of the Company, the Company's transparency and public disclosure process, the accuracy of certain public disclosures, management's conduct in response to the investigation, and the propriety of certain major transactions." The press release further stated that the Company had received a subpoena from the Northeast Regional Office of the SEC seeking "documents and other information relating to the sale of Company securities by any person identified as a selling shareholder in any Company registration statement or other public filing."

On this news, the Company's share price, which at one time had traded as high as \$2.23 per share due to the Company's positive press releases and false and misleading representations during the Class Period, closed at \$0.42 per share on March 31, 2005, and then dropped further by almost fifty percent (50%), to close at \$0.24 per share on April 1, 2005.

On April 8, 2005, after the close of trading, Xybernaut announced in a press release that "investors and others should refrain from relying upon the Company's historical financial statements... for the years ended December 31, 2002 and 2003, and interim quarterly reports for the quarters ended March 31, 2003, June 30, 2003, September 30, 2003, March 31, 2004, June 30, 2004 and September 30, 2004." On the heels of this shocking news, trading was again heavy and the Company's price per share fell to \$0.13 per share.

If you purchased Xybernaut securities between March 27, 2003 and April 8, 2005 (inclusive), you may qualify to serve as lead plaintiff on behalf of the Class. All motions for appointment as lead plaintiff must be filed with the Court no later than June 14, 2005. Any member of the proposed Class may move the Court to serve as lead plaintiff in this action through counsel of his or her choice, or may remain an absent class member. There are certain legal requirements to serve as lead plaintiff, which we would be pleased to discuss with you. Please contact James E. Miller, Esquire (866/540-5505; [jmiller@classactioncounsel.com](mailto:jmiller@classactioncounsel.com) ), or James C. Shah, Esquire (877/891-9880; [jshah@classactioncounsel.com](mailto:jshah@classactioncounsel.com) ), if you would like to discuss this action or have any question regarding this notice or your rights.

Shepherd, Finkelman, Miller & Shah, LLC ( <http://www.classactioncounsel.com> ) is a national law firm that represents investors, including institutions and individuals, as well as consumers, in class action and other complex litigation, and maintains offices in Connecticut, Florida, New Jersey and Pennsylvania. The firm's attorneys have appeared in matters on behalf of our clients throughout the United States and have been appointed lead counsel in a number of class actions and corporate governance matters.

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Source: Shepherd, Finkelman, Miller & Shah, LLC

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# EXHIBIT B

**CERTIFICATION OF PROPOSED LEAD PLAINTIFF**I, Kenneth L. James, certify that:

1. I have reviewed the complaint and I authorize Milberg Weiss Bershad & Schulman LLP to act on my behalf in this matter in applying for Lead Plaintiff status and for all other purposes.
2. I did not acquire the security that is the subject of this action at the direction of plaintiff's counsel or in order to participate in this private action or any other litigation under the federal securities laws.
3. I am willing to serve as a Lead Plaintiff either individually or as part of a group. A Lead Plaintiff is a representative party who acts on behalf of other class members in directing the action, and whose duties may include providing testimony at deposition and trial, if necessary.
4. I represent and warrant that I am authorized to execute this Certification on behalf of the purchasers of the subject securities described herein (including, as the case may be, myself, any co-owners, any corporations or other entities, and/or any beneficial owners).
5. I will not accept any payments for serving as a representative party on behalf of the class beyond the purchaser's pro rata share of any recovery, except such reasonable costs and expenses (including lost wages) directly relating to the representation of the class as ordered or approved by the court.
6. I understand that this is not a claim form, and that my ability to share in any recovery as a member of the class is unaffected by my decision to serve as a representative party or Lead Plaintiff.
7. The number of shares or other securities of Xybernaut Corp. (NasdaqSC:XYBRE) I held on the first day of the Class Period, May 10, 2002 (if any) was:

**Type of Security (check one)**

- ☒ Common Stock      ☐ Preferred Stock  
☐ Bonds                      ☐ Put  
☐ Call

**Quantity**SEE ATTACHED

8. I have listed below all my transactions in the securities of Xybernaut Corp. (NasdaqSC:XYBRE) during the Class Period as follows:

Type of Security (Common stock, Preferred Stock, Calls, Puts or Bonds)	Purchase/Acquisition or Sale/Disposition	Quantity	Trade Date (mm/dd/yy)	Price per Share/Security (\$)
<u>SEE ATTACHED</u>				

(\* List additional transactions on separate sheet, if necessary)

These securities were acquired or held in (check all that apply):

- ☒ General (non-retirement account)      ☐ Merger/acquisition/distribution  
☒ IRA    ☐ Employer-sponsored plan (401k, 403b, etc.)

☒ Gift

9. I made the following sales of securities of Xybernaut Corp. (NasdaqSC:XYBRE) during the 90-day period after the Class Period:  
**Sales (April 8, 2005 to 90 days later)**

Type of Security (Common stock, Preferred Stock, Calls, Puts or Bonds)	Quantity	Trade Date (mm/dd/yy)	Price per Share/Security (\$)
<u>SEE ATTACHED</u>			

10. During the three years prior to the date of this Certification, I have not sought to serve and I have not served as a representative party for a class in an action filed under the federal securities laws except as described below (if any):

I declare under penalty of perjury, under the laws of the United States, that the information entered is accurate.

Executed this 9th day of June, 2005
Kenneth L. James  
 Name (print)

  
 Signature

Schedule AKenneth James Custodial account for Jessica James Transaction(s) in Xybernaut Corporation.**Purchase(s)**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
11/14/02	1,500	0.7600
07/24/03	1,500	0.7400
10/23/03	1,650	1.8600
11/19/03	2,040	1.8200
11/19/03	5	1.8200
03/01/04	2,360	1.7000
03/11/04	1,900	1.4400
03/11/04	300	1.4400
03/11/04	700	1.4400
01/13/05	4,730	1.1300
01/13/05	170	1.1300
01/13/05	100	1.1300
02/01/05	5,000	1.0600
02/16/05	200	0.9100

**Sale(s)**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
11/14/02	1,500	0.6700
10/15/03	1,500	1.9600
11/04/03	350	1.9700
11/04/03	100	1.9700
11/04/03	900	1.9700
11/04/03	300	1.9700
01/20/04	700	1.9700
01/20/04	1,345	1.9700
03/08/04	425	1.8000
03/08/04	500	1.8000
03/08/04	100	1.8000
03/08/04	700	1.8000
03/08/04	300	1.8000
03/08/04	230	1.8000
03/08/04	105	1.8000
06/24/04	1,300	1.6300
06/24/04	1,000	1.6300
06/24/04	600	1.6300
04/05/05	200	0.2600
04/05/05	10,000	0.2600

**Schedule A**  
**Kenneth James Transaction(s) in Xybernaut Corporation.**

**Purchase(s)**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
06/25/02	5,000	0.8300
06/28/02	500	0.7600
11/14/02	1,200	0.7500
11/14/02	800	0.7600
07/24/03	2,500	0.7400
10/23/03	2,325	1.8800
10/23/03	340	1.8600
11/19/03	2,900	1.8200
02/04/04	662	1.7700
02/04/04	500	1.7700
02/04/04	1,138	1.7700
03/11/04	900	1.4400
03/11/04	1,900	1.4400
01/13/05	270	1.1300
01/13/05	400	1.1300
01/13/05	780	1.1300
01/13/05	1,000	1.1300
01/13/05	200	1.1300
01/13/05	500	1.1300
01/13/05	1,000	1.1300
01/13/05	250	1.1300
01/13/05	750	1.1300
01/13/05	1,000	1.1300
01/13/05	400	1.1300
01/13/05	150	1.1300
01/31/05	483	1.0500
01/31/05	300	1.0500
01/31/05	1,200	1.0500
01/31/05	837	1.0500
01/31/05	500	1.0500
02/16/05	500	0.9100

**Sale(s)**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
06/30/00	1,000	10.7500
08/30/02	2,000	0.2200
09/30/02	3,120	0.2100
09/30/02	2,780	0.2100
09/30/02	1,000	0.2101
09/30/02	600	0.2200
09/30/02	100	0.2200
11/14/02	2,000	0.6700
10/15/03	200	2.0000
10/15/03	300	2.0000



10/15/03	2,000	2.0000
11/04/03	1,285	1.9700
11/04/03	600	1.9800
11/04/03	100	1.9800
11/04/03	700	1.9800
01/20/04	2,600	1.9700
01/20/04	300	1.9800
03/08/04	655	1.8000
03/08/04	1,645	1.8000
06/24/04	700	1.6300
06/24/04	600	1.6300
06/24/04	1,500	1.6300
04/05/05	500	0.2600
04/05/05	10,000	0.2600

Schedule AKenneth James IRA Transaction(s) in Xybernaut Corporation.**Purchase(s)**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
07/16/03	700	0.6200
07/16/03	700	0.6200
07/16/03	1,000	0.6200
10/14/03	2,000	1.9300
10/14/03	3,000	1.9300
10/14/03	3,000	1.9300
10/15/03	9,000	1.8700
11/17/03	500	1.9000
11/17/03	1,800	1.9000
11/18/03	25	1.9000
11/18/03	50,800	1.9000
11/18/03	875	1.9000
03/01/04	1,000	1.7000
03/01/04	100	1.7000
03/01/04	1,500	1.7000
03/01/04	2,000	1.7000
03/01/04	150	1.7000
03/01/04	1,000	1.7000
03/01/04	100	1.7000
03/01/04	500	1.7000
03/01/04	209	1.7000
03/01/04	500	1.7000
03/01/04	200	1.7000
03/01/04	1,050	1.7000
03/01/04	5,000	1.7000
03/01/04	4,000	1.7000
03/01/04	500	1.7000
03/01/04	1,000	1.7000
03/01/04	100	1.7000
03/01/04	2,000	1.7000
03/01/04	24,500	1.7000
03/01/04	500	1.7000
03/01/04	500	1.7000
03/01/04	500	1.7000
03/01/04	600	1.7000
03/01/04	500	1.7000
03/01/04	400	1.6990
03/01/04	388	1.6990
03/01/04	200	1.6990
03/01/04	500	1.7000
03/01/04	523	1.7000
03/01/04	100	1.7000
03/01/04	9,402	1.7000
03/01/04	600	1.7000

03/01/04	600	1.6990
03/02/04	338	1.7000
03/02/04	440	1.7000
03/02/04	500	1.7000
03/02/04	500	1.7000
03/02/04	400	1.7000
01/12/05	2,500	1.1400
01/12/05	600	1.1400
01/12/05	1,000	1.1400
01/12/05	1,000	1.1400
01/12/05	1,300	1.1400
01/12/05	1,000	1.1400
01/12/05	2,500	1.1400
01/12/05	500	1.1400
01/12/05	5,000	1.1400
01/12/05	5,000	1.1400
01/12/05	800	1.1400
01/12/05	200	1.1400
01/12/05	600	1.1400
01/12/05	3,200	1.1400
01/12/05	2,600	1.1400
01/12/05	2,000	1.1400
01/12/05	2,000	1.1400
01/12/05	700	1.1400
01/12/05	600	1.1400
01/12/05	1,300	1.1400
01/12/05	300	1.1400
01/12/05	600	1.1400
01/12/05	1,100	1.1400
01/12/05	3,100	1.1400
01/12/05	500	1.1400
01/12/05	24,670	1.1500
01/12/05	1,000	1.1500
01/12/05	200	1.1500
01/12/05	950	1.1500
01/12/05	200	1.1500
01/12/05	200	1.1500
01/12/05	400	1.1500
01/12/05	300	1.1500
01/12/05	500	1.1500
01/12/05	300	1.1500
01/12/05	400	1.1500
01/12/05	300	1.1500
01/12/05	100	1.1500
01/12/05	100	1.1500
01/12/05	2,400	1.1500
01/12/05	1,000	1.1500
01/12/05	1,000	1.1500
01/12/05	100	1.1500
01/12/05	900	1.1500
01/12/05	1,000	1.1500
01/12/05	700	1.1500

01/12/05	200	1.1500
01/12/05	1,000	1.1500
01/12/05	900	1.1500
01/12/05	600	1.1500
01/12/05	2,700	1.1500
01/12/05	200	1.1500
01/12/05	200	1.1500
01/12/05	1,000	1.1500
01/12/05	300	1.1500
01/12/05	300	1.1500
01/12/05	1,000	1.1500
01/12/05	600	1.1500
01/12/05	200	1.1500
01/12/05	1,000	1.1500
01/12/05	1,000	1.1500
01/12/05	100	1.1500
01/12/05	600	1.1500
01/12/05	1,000	1.1500
01/12/05	900	1.1500
01/12/05	5,000	1.1500
01/12/05	1,000	1.1500
01/12/05	200	1.1500
01/12/05	200	1.1500
01/12/05	200	1.1500
01/12/05	500	1.1400
01/12/05	6,000	1.1500
01/12/05	100	1.1500
01/12/05	480	1.1500
01/12/05	1,400	1.1500
01/12/05	100	1.1500
01/12/05	600	1.1500
01/12/05	200	1.1500
01/12/05	100	1.1500
01/12/05	1,600	1.1500
01/12/05	200	1.1500
01/12/05	100	1.1500
01/12/05	600	1.1500
01/12/05	500	1.1500
01/12/05	1,000	1.1500
01/12/05	2,700	1.1500
01/12/05	500	1.1500
01/12/05	500	1.1500
01/12/05	1,800	1.1500
01/12/05	900	1.1500
01/12/05	300	1.1500
01/12/05	1,000	1.1500
01/12/05	400	1.1500
01/12/05	500	1.1500
01/12/05	1,000	1.1500
01/12/05	500	1.1500
01/12/05	200	1.1500
01/12/05	300	1.1500

01/12/05	200	1.1500
01/12/05	200	1.1500
01/12/05	1,000	1.1500
01/12/05	100	1.1500
01/12/05	600	1.1500
01/12/05	2,000	1.1400
01/12/05	500	1.1400
01/12/05	200	1.1400
01/12/05	900	1.1400
01/12/05	1,300	1.1500
01/12/05	1,200	1.1400
01/12/05	500	1.1400
01/12/05	200	1.1400
01/12/05	1,000	1.1400
01/12/05	800	1.1400
01/12/05	1,000	1.1400
01/12/05	800	1.1400
01/12/05	1,000	1.1500
01/12/05	400	1.1500
01/12/05	1,100	1.1500
01/12/05	100	1.1500
01/12/05	2,500	1.1500
01/12/05	1,000	1.1500
02/16/05	250	0.8900
03/11/05	4,682	0.7100
03/11/05	600	0.7100
03/11/05	600	0.7100
03/11/05	936	0.7100
03/11/05	350	0.7100
03/11/05	1,500	0.7100
03/11/05	500	0.7100

**Sale(s)**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
10/15/03	2,000	2.0200
10/15/03	1,100	2.0300
10/15/03	900	2.0300
10/15/03	1,000	2.0300
10/15/03	3,000	2.0300
11/04/03	15,100	2.0900
11/04/03	100	2.0980
11/04/03	100	2.0990
11/04/03	200	2.1000
11/04/03	29	2.0900
11/04/03	200	2.1000
11/04/03	100	2.1080
11/04/03	100	2.1000
11/04/03	380	2.1000
11/04/03	2,000	2.1000
11/04/03	4,921	2.1000
11/04/03	3,500	2.1020
11/04/03	1,970	2.1050

11/04/03	2,030	2.1050
11/04/03	100	2.1100
11/04/03	5,000	2.1000
11/04/03	1,745	2.1000
11/04/03	255	2.1000
11/04/03	1,400	2.1000
11/04/03	620	2.1000
11/04/03	4,000	2.1000
11/04/03	50	2.1000
11/04/03	2,500	2.1100
11/04/03	600	2.1100
11/04/03	100	2.1100
11/04/03	500	2.1110
11/04/03	200	2.1100
11/04/03	700	2.1100
11/04/03	500	2.1100
01/20/04	12,900	1.9700
01/20/04	100	1.9700
01/20/04	400	1.9700
01/20/04	500	1.9700
01/20/04	27,600	1.9700
01/20/04	5,000	1.9710
01/20/04	3,000	1.9710
01/20/04	2,000	1.9710
01/20/04	1,000	1.9710
01/20/04	100	1.9720
01/20/04	100	1.9750
01/20/04	100	1.9770
01/20/04	500	1.9780
01/20/04	700	1.9700
03/08/04	6,111	1.8000
03/08/04	600	1.8000
03/08/04	600	1.8001
03/08/04	600	1.8000
03/08/04	100	1.8000
03/08/04	1,100	1.8000
03/08/04	2,500	1.8000
03/08/04	540	1.8000
03/08/04	300	1.8000
03/08/04	250	1.8000
03/08/04	7,000	1.8000
03/08/04	500	1.8000
03/08/04	4,000	1.8000
03/08/04	2,000	1.8000
03/08/04	2,000	1.8000
03/08/04	5,000	1.8000
03/08/04	6,915	1.8000
03/08/04	300	1.8000
03/11/04	1,400	1.8000
12/07/04	27,676	1.2200
12/07/04	600	1.2300
04/05/05	145,000	0.2600

04/05/05	5,000	0.2600
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**CERTIFICATION OF PROPOSED LEAD PLAINTIFF**I, LA ROCCA FRANCO PIETRO, certify that:

1. I have reviewed the complaint and I authorize Millberg Weiss Bershad & Schulman LLP to act on my behalf in this matter in applying for Lead Plaintiff status and for all other purposes.
2. I did not acquire the security that is the subject of this action at the direction of plaintiff's counsel or in order to participate in this private action or any other litigation under the federal securities laws.
3. I am willing to serve as a Lead Plaintiff either individually or as part of a group. A Lead Plaintiff is a representative party who acts on behalf of other class members in directing the action, and whose duties may include providing testimony at deposition and trial, if necessary.
4. I represent and warrant that I am authorized to execute this Certification on behalf of the purchasers of the subject securities described herein (including, as the case may be, myself, any co-owners, any corporations or other entities, and/or any beneficial owners).
5. I will not accept any payments for serving as a representative party on behalf of the class beyond the purchaser's pro-rata share of any recovery, except such reasonable costs and expenses (including lost wages) directly relating to the representation of the class as ordered or approved by the court.
6. I understand that this is not a claim form, and that my ability to share in any recovery as a member of the class is unaffected by my decision to serve as a representative party or Lead Plaintiff.
7. The number of shares or other securities of Xybernaut Corp. (NasdaqSC:XYBRE) I held on the first day of the Class Period, May 10, 2002 (if any) was:

**Type of Security (check one)**

- ☐ Common Stock      ☐ Preferred Stock  
☐ Bonds      ☐ Put  
☐ Call

Quantity

N/A

8. I have listed below all my transactions in the securities of Xybernaut Corp. (NasdaqSC:XYBRE) during the Class Period as follows:

Type of Security (Common stock, Preferred Stock, Calls, Puts or Bonds)	Purchase/Acquisition or Sale/Disposition	Quantity	Trade Date (mm/dd/yy)	Price per Share/Security (\$)
COMMON STOCK	PURCHASE	3000	07/01/03	0.57
COMMON STOCK	SALE	3000	07/02/03	0.58
COMMON STOCK	PURCHASE	8085	03/02/04	1.69
COMMON STOCK	SALE	8085	03/04/04	1.73
COMMON STOCK	PURCHASE	6010	02/11/04	1.41
COMMON STOCK	PURCHASE	1810	04/08/04	1.28

(\* List additional transactions on separate sheet, if necessary) SEE SEPARATE SHEET\*

These securities were acquired or held in (check all that apply):

- ☒ General (non-retirement account)      ☐ Merger/acquisition/distribution      ☐ Gift  
☐ IRA      ☐ Employer-sponsored plan (401k, 403b, etc.)

9. I made the following sales of securities of Xybernaut Corp. (NasdaqSC:XYBRE) during the 90-day period after the Class Period:

**Sales (April 8, 2005 to 90 days later)**

Type of Security (Common stock, Preferred Stock, Calls, Puts or Bonds)	Quantity	Trade Date (mm/dd/yy)	Price per Share/Security (\$)

10. During the three years prior to the date of this Certification, I have not sought to serve and I have not served as a representative party for a class in an action filed under the federal securities laws except as described below (if any):

I declare under penalty of perjury, under the laws of the United States, that the information entered is accurate.

Executed this 20 day of MAY, 2005

LA ROCCA FRANCO PIETRO  
 Name (print)

La Rocca Franco Pietro  
 Signature



Schedule ALa Rocca Franco Pietro Transaction(s) in Xybernaut Corporation.**Purchase(s)**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
07/01/03	1,700	0.5700
07/01/03	600	0.5700
07/01/03	700	0.5700
03/02/04	600	1.6894
03/02/04	400	1.6890
03/02/04	300	1.6900
03/02/04	1,600	1.6890
03/02/04	900	1.6900
03/02/04	1,000	1.6900
03/02/04	1,600	1.6900
03/02/04	1,685	1.6900
03/02/04	15	1.6900
03/02/04	85	1.6893
03/11/04	1,000	1.4100
03/11/04	2,600	1.4100
03/11/04	2,410	1.4100
08/04/04	300	1.2800
08/04/04	1,500	1.2800
08/04/04	10	1.2800
04/12/04	400	1.3798
04/12/04	1,900	1.3799
04/12/04	100	1.3799
04/12/04	3,400	1.3800
04/12/04	300	1.3800
04/12/04	1,000	1.3800
04/12/04	700	1.3800
04/12/04	1,100	1.3800
04/12/04	1,000	1.3800
04/12/04	100	1.3800
04/12/04	600	1.3800
04/12/04	300	1.3800
04/12/04	400	1.3800
04/12/04	600	1.3800
04/12/04	300	1.3800
04/12/04	100	1.3800
04/12/04	2,000	1.3800
04/12/04	1,600	1.3800
04/12/04	1,200	1.3800
04/12/04	700	1.3800
04/12/04	2,000	1.3800
04/12/04	2,300	1.3800
04/12/04	300	1.3800
04/12/04	300	1.3800
04/12/04	1,100	1.3800

04/12/04	900	1.3800
04/12/04	400	1.3800
04/12/04	100	1.3800
04/12/04	1,500	1.3800
04/12/04	1,600	1.3800
04/12/04	600	1.3799
04/12/04	300	1.3800
04/12/04	3,500	1.3800
04/12/04	1,300	1.3800
04/12/04	700	1.3800
04/12/04	100	1.3800
04/12/04	300	1.3800
04/12/04	200	1.3800
04/12/04	1,000	1.3800
04/12/04	8,500	1.3800
04/12/04	57	1.3800
04/12/04	100	1.3800
04/12/04	100	1.3800
04/12/04	1,100	1.3800
04/12/04	100	1.3800
04/12/04	243	1.3800
04/12/04	900	1.3800
10/01/04	2,390	1.1200
10/01/04	810	1.1200
10/27/04	3,200	1.1700
10/27/04	2,180	1.1600
11/02/04	165	1.2900
11/02/04	600	1.2900
11/02/04	1,100	1.2900
11/02/04	500	1.2900
11/02/04	200	1.2900
11/02/04	1,500	1.2900
11/02/04	600	1.2881
11/02/04	400	1.2900
11/02/04	600	1.2900
11/02/04	200	1.2900
11/02/04	1,100	1.2900
11/02/04	200	1.2882
11/02/04	500	1.2900
11/02/04	200	1.2900
11/02/04	400	1.2900
11/02/04	600	1.2900
11/02/04	500	1.2900
11/02/04	4	1.2900
11/02/04	4,000	1.2900
11/02/04	400	1.2900
11/02/04	1,000	1.3000
11/02/04	600	1.3000
11/02/04	400	1.3000
11/02/04	1,000	1.3000
11/02/04	7,700	1.3000
11/02/04	400	1.3000

11/02/04	600	1.3000
11/02/04	100	1.3000
11/02/04	2,000	1.3000
11/02/04	31	1.3000
11/02/04	970	1.3000
11/02/04	8,200	1.3000
11/02/04	130	1.3000
11/04/04	600	1.1900
11/16/04	5,300	1.1000
11/16/04	500	1.1000
12/17/04	750	1.2800
12/17/04	800	1.2800
03/10/05	1,800	0.7390
03/10/05	500	0.7400
03/18/05	200	0.6210
03/18/05	600	0.6210
03/18/05	200	0.6220
03/18/05	200	0.6240
03/18/05	200	0.6250
03/18/05	200	0.6250
03/18/05	200	0.6270
03/18/05	200	0.6280
03/18/05	200	0.6280
03/18/05	200	0.6300
03/18/05	200	0.6300
03/18/05	200	0.6300
03/18/05	300	0.6300
03/18/05	200	0.6300
03/18/05	500	0.6300
03/18/05	600	0.6300
03/18/05	7,900	0.6300
03/18/05	500	0.6300
03/18/05	200	0.6300
03/18/05	200	0.6201
03/18/05	500	0.6300
03/18/05	200	0.6300
03/18/05	100	0.6300
03/18/05	200	0.6300
03/18/05	200	0.6201
03/18/05	100	0.6300
03/18/05	200	0.6300
03/18/05	500	0.6300
03/18/05	600	0.6201
03/18/05	200	0.6210
03/18/05	200	0.6300
03/18/05	500	0.6300
03/18/05	200	0.6300
03/18/05	1,000	0.6300
03/18/05	100	0.6300
03/18/05	100	0.6300
03/18/05	200	0.6300
03/18/05	400	0.6290

03/18/05	600	0.6280
03/18/05	600	0.6299
03/18/05	100	0.6300
03/18/05	100	0.6300
03/18/05	200	0.6300
03/18/05	1,000	0.6300
03/18/05	200	0.6300
03/18/05	200	0.6300
03/18/05	200	0.6300
03/18/05	6,500	0.6300
03/18/05	1,600	0.6300
11/02/04	600	1.2900
11/19/04	200	1.1000

**Sale(s)**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
07/02/03	3,000	0.5800
03/04/04	600	1.7310
03/04/04	1,790	1.7300
03/04/04	500	1.7300
03/04/04	1,000	1.7300
03/04/04	3,885	1.7300
03/04/04	310	1.7300
10/27/04	3,200	1.2100
11/11/04	500	1.1700
11/11/04	100	1.1600
11/11/04	3,000	1.1600
11/11/04	1,600	1.1600
11/11/04	800	1.1600
04/01/05	1,791	0.2010
04/01/05	3,000	0.2010
04/01/05	10,000	0.2010
04/01/05	1,000	0.2000
04/01/05	1,000	0.2000
04/01/05	4,000	0.2000
04/01/05	4,209	0.2000
04/01/05	5,791	0.2000
04/01/05	19,209	0.2000
04/01/05	4,900	0.2020
04/01/05	1,000	0.2020
04/01/05	2,800	0.2020
04/01/05	1,300	0.2000
04/01/05	5,000	0.2000
04/01/05	5,000	0.2000
04/01/05	1,000	0.2000
04/01/05	1,500	0.2000
04/01/05	400	0.2000
04/01/05	2,700	0.2000
04/01/05	400	0.2000
04/01/05	2,300	0.2000
04/01/05	3,700	0.2000
04/01/05	500	0.2000

04/01/05	<b>3,200</b>	0.2000
04/01/05	<b>1,300</b>	0.2020
04/01/05	<b>4,600</b>	0.2000
04/01/05	<b>200</b>	0.2000
04/01/05	<b>600</b>	0.2000
04/01/05	<b>1,300</b>	0.2000
04/01/05	<b>500</b>	0.2000
04/01/05	<b>5,200</b>	0.2000
04/01/05	<b>600</b>	0.2000
04/01/05	<b>2,800</b>	0.2300
04/01/05	<b>8,000</b>	0.2300
04/01/05	<b>3,800</b>	0.2300
04/01/05	<b>10,000</b>	0.2300
04/01/05	<b>7,750</b>	0.2300

**PLAINTIFF CERTIFICATION**

Michael Farnatels ("Plaintiff") hereby states that:

1. Plaintiff has reviewed the complaint and has authorized the filing of the complaint on his/her behalf.
2. Plaintiff did not purchase any common stock/securities of **Xybernaut Corporation** at the direction of his/her counsel or in order to participate in this private action.
3. Plaintiff is willing to serve as a representative party on behalf of a class, including providing testimony at deposition and trial, if necessary. I understand that the litigation is not settled, this is not a claim form, and sharing in any recovery is not dependent upon execution of this Plaintiff Certification. I am willing to serve as a lead plaintiff either individually or as part of a group. A lead plaintiff is a representative party who acts on behalf of other class members in directing the action.
4. The following includes all of Plaintiff's transactions in **Xybernaut Corporation** common stock/securities during the class period specified in the complaint:

SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
See Attached sheets				

Please list other transactions on a separate sheet of paper, if necessary.

5. Plaintiff has not served or sought to serve as a representative party on behalf of a class under the federal securities laws during the last three years, unless otherwise stated in the space below:
6. Plaintiff will not accept any payment for serving as a representative party on behalf of a class except to receive his pro rata share of any recovery, or as ordered or approved by the court including the award to a representative party of reasonable costs and expenses including lost wages relating to the representation of the class.

Plaintiff declares under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of April, 2005.

Michael Farnatels  
Signature

SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
C.S.	P	4/8/02	1.64	1500
✓	P	4/8/02	1.63	500
✓	P	4/9/02	1.54	1000
✓	P	5/23/02	.85	5000

SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
✓	P	6/26/02	.78	5000
✓	P	7/18/02	.61	2000
✓	P	12/03/02	.80	3000
✓	P	12/16/02	.64	2000

SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
✓	P	12/18/02	.60	2000
✓	P	12/19/02	.52	3000
✓	P	12/24/02	.50	3000
✓	P	12/26/02	.57	5000

SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
✓	P	3/10/03	.37	8000
✓	P	3/14/03	.35	5000
✓	P	3/25/03	.42	2000

SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
C.S.	Sale	8/18/03	.75	48,000

SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY

Michael Farniak

SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
C.S.	P	8/25/03	.75	10,000
✓	P	10/29/03	1.83	10,000
✓	P	10/22/03	1.90	10,000
✓	P	11/17/03	1.93	5000
SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
✓	P	11/20/03	1.74	5000
✓	P	4/16/04	1.33	5000
✓	P	4/23/04	1.29	5000
✓	P	6/16/04	1.51	5000
SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
✓	P	6/16/04	1.53	5000
✓	P	8/12/04	1.17	1,000
✓	P	8/12/04	1.17	1,000
✓	P	11/05/04	1.17	2000
SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
C.S.	Sale	4/27/05	.16	64000
SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY
SECURITY (Common Stock, Call, Put, Bonds)	TRANSACTION (Purchase, Sale)	TRADE DATE	PRICE PER SECURITIES/SHARE	QUANTITY

Michael Farmakis



**PLAINTIFF CERTIFICATION**

David S. Pennington ("Plaintiff") hereby states that:

1. Plaintiff has reviewed the complaint and has authorized the filing of the complaint on his/her behalf.

2. Plaintiff did not purchase any common stock/securities of **Xybernaut Corporation** at the direction of his/her counsel or in order to participate in this private action.

3. Plaintiff is willing to serve as a representative party on behalf of a class, including providing testimony at deposition and trial, if necessary. I understand that the litigation is not settled, this is not a claim form, and sharing in any recovery is not dependent upon execution of this Plaintiff Certification. I am willing to serve as a lead plaintiff either individually or as part of a group. A lead plaintiff is a representative party who acts on behalf of other class members in directing the action.

4. The following includes all of Plaintiff's transactions in **Xybernaut Corporation** common stock/securities during the class period specified in the complaint:

*See Exhibit A.*

5. Plaintiff has not served or sought to serve as a representative party on behalf of a class under the federal securities laws during the last three years, unless otherwise stated in the space below:

6. Plaintiff will not accept any payment for serving as a representative party on behalf of a class except to receive his pro rata share of any recovery, or as ordered or approved by the court including the award to a representative party of reasonable costs and expenses including lost wages relating to the representation of the class.

Plaintiff declares under penalty of perjury that the foregoing is true and correct.

Executed this 13<sup>th</sup> day of June, 2005.

  
Signature

**Exhibit A****Transactions of David S. Pennington in Kybernaut Corporation Common Stock:****Ameritrade Account**

Transaction	Trade Date	Quantity	Price Per Share
Buy	10/09/02	1,000	\$0.2400
Buy	10/28/02	2,500	\$0.2220
Buy	10/29/02	7,500	\$0.2220
Buy	11/27/02	9,000	\$0.8200
Buy	12/13/02	10,000	\$0.6220
Buy	01/24/03	10,000	\$0.5100
Buy	01/29/03	10,000	\$0.4500
Buy	08/28/03	10,000	\$0.7200
Sell	09/09/03	10,000	\$1.0000
Sell	09/09/03	10,000	\$1.0000
Sell	09/09/03	10,000	\$1.0000
Buy	10/03/03	10,000	\$1.8500
Buy	10/03/03	10,000	\$1.8400
Buy	10/13/03	1,000	\$1.7700
Sell	10/27/04	1,000	\$1.1500

**ETrade Account**

Transaction	Trade Date	Quantity	Price Per Share
Buy	03/02/00	50	\$24.7500
Buy	03/31/00	50	\$15.9375
Buy	12/02/03	10,000	\$1.7500
Buy	12/02/03	10,000	\$1.7500
Buy	12/02/03	10,000	\$1.7500
Buy	12/02/03	5,000	\$1.7500
Buy	12/04/03	5,000	\$1.6800
Sell	11/02/04	2,000	\$1.2600
Sell	11/02/04	38,000	\$1.2500

**CERTIFICATION OF PROPOSED LEAD PLAINTIFF**

I, Christina Donnelly, certify that:

1. I have reviewed the complaint and I authorize Milberg Weiss Bershad & Schulman LLP to act on my behalf in this matter in applying for Lead Plaintiff status and for all other purposes.
2. I did not acquire the security that is the subject of this action at the direction of plaintiff's counsel or in order to participate in this private action or any other litigation under the federal securities laws.
3. I am willing to serve as a Lead Plaintiff either individually or as part of a group. A Lead Plaintiff is a representative party who acts on behalf of other class members in directing the action, and whose duties may include providing testimony at deposition and trial, if necessary.
4. I represent and warrant that I am authorized to execute this Certification on behalf of the purchasers of the subject securities described herein (including, as the case may be, myself, any co-owners, any corporations or other entities, and/or any beneficial owners).
5. I will not accept any payments for serving as a representative party on behalf of the class beyond the purchaser's pro rata share of any recovery, except such reasonable costs and expenses (including lost wages) directly relating to the representation of the class as ordered or approved by the court.
6. I understand that this is not a claim form, and that my ability to share in any recovery as a member of the class is unaffected by my decision to serve as a representative party or Lead Plaintiff.
7. The number of shares or other securities of Xybernaut Corp. (NasdaqSC:XYBRE) I held on the first day of the Class Period, May 10, 2002 (if any) was:

Type of Security (check one)

Quantity

- ☒ Common Stock      ☐ Preferred Stock  
☐ Bonds                      ☐ Put  
☐ Call

8. I have listed below all my transactions in the securities of Xybernaut Corp. (NasdaqSC:XYBRE) during the Class Period as follows:

Type of Security (Common stock, Preferred Stock, Calls, Puts or Bonds)	Purchase/Acquisition or Sale/Disposition	Quantity	Trade Date (mm/dd/yy)	Price per Share/Security (\$)
SEE ATTACHED				

(\* List additional transactions on separate sheet, if necessary)

These securities were acquired or held in (check all that apply):

- ☒ General (non-retirement account)      ☐ Merger/acquisition/distribution      ☐ Gift  
☒ IRA    ☐ Employer-sponsored plan (401k, 403b, etc.)

9. I made the following sales of securities of Xybernaut Corp. (NasdaqSC:XYBRE) during the 90-day period after the Class Period:

Sales (April 8, 2005 to 90 days later)

Type of Security (Common stock, Preferred Stock, Calls, Puts or Bonds)	Quantity	Trade Date (mm/dd/yy)	Price per Share/Security (\$)

10. During the three years prior to the date of this Certification, I have not sought to serve and I have not served as a representative party for a class in an action filed under the federal securities laws except as described below (if any):

I declare under penalty of perjury, under the laws of the United States, that the information entered is accurate.

Executed this 9<sup>th</sup> day of June, 2005

Christina Williamson Donnelly  
Name (print)

Christina Williamson Donnelly  
Signature

Schedule AChristina Donnelly Transaction(s) in  
Xybernaut, Inc. (NasdaqSC:XYBRE)**Purchase(s):**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
06/21/02	500	0.9000
06/21/02	500	0.9100
06/21/02	1,000	0.9000
11/07/02	4,200	0.5600
11/07/02	4,800	0.5700
11/11/02	5,000	0.5600
11/25/02	2,000	0.7000
12/05/02	1,000	0.6800
04/16/03	3,500	0.4200
11/14/03	2,000	1.9600
02/19/04	2,000	1.7900
08/04/04	800	1.3100
10/27/04	1,000	1.2200
02/16/05	500	0.9100
02/16/05	500	0.9400
02/28/05	1,500	0.8300
03/17/05	1,000	0.6100

**Purchase(s) IRA Account:**

<u>Date</u>	<u>Shares</u>	<u>Price</u>
12/23/02	3,000	0.5200
04/13/04	500	1.3800
11/04/04	2,000	1.2200

# EXHIBIT C

Class Period: 05/10/02-04/08/05

## Xybernaut, Corp (NASDAQ:XYBRE)

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
James, Kenneth Custodial for Jessica James	Pre-Class holdings	5,950			09/30/02	5,950	0.2300		0		
	11/14/02	1,500	0.7600	1,140.00	11/14/02	1,500	0.6700	1,005.00	0	0.00	(135.00)
	07/24/03	1,500	0.7400	1,110.00	10/15/03	1,500	1.9600	2,940.00	0	0.00	1,830.00
	10/23/03	1,650	1.8600	3,069.00	11/04/03	350	1.9700	689.50	1,300	180.15	(2,199.35)
	11/19/03	2,040	1.8200	3,712.80	11/04/03	100	1.9700	197.00	1,940	268.84	(3,246.96)
	11/19/03	5	1.8200	9.10	11/04/03	900	1.9700	1,773.00	(895)	(124.03)	1,639.87
	03/01/04	2,360	1.7000	4,012.00	11/04/03	300	1.9700	591.00	2,060	285.47	(3,135.53)
	03/11/04	1,900	1.4400	2,736.00	01/20/04	700	1.9700	1,379.00	1,200	166.29	(1,190.71)
	03/11/04	300	1.4400	432.00	01/20/04	1,345	1.9700	2,648.65	(1,045)	(144.81)	2,072.84
	03/11/04	700	1.4400	1,008.00	03/09/04	425	1.8000	765.00	275	38.11	(204.89)
	01/13/05	4,730	1.1300	5,344.90	03/08/04	500	1.8000	900.00	4,230	586.18	(3,858.72)
	01/13/05	170	1.1300	192.10	03/08/04	100	1.8000	180.00	70	9.70	(2.40)
	01/13/05	100	1.1300	113.00	03/08/04	700	1.8000	1,260.00	(600)	(83.15)	1,063.85
	02/01/05	5,000	1.0600	5,300.00	03/08/04	300	1.8000	540.00	4,700	651.32	(4,108.68)
	02/16/05	200	0.9100	182.00	03/08/04	230	1.8000	414.00	(30)	(4.16)	227.84
					03/08/04	105	1.8000	189.00	(105)	(14.55)	174.45
					06/24/04	1,300	1.6300	2,119.00	(1,300)	(180.15)	1,938.85
					06/24/04	1,000	1.6300	1,630.00	(1,000)	(138.58)	1,491.42
					06/24/04	600	1.6300	978.00	(600)	(83.15)	894.85
					04/05/05	200	0.2600	52.00	(200)	(27.72)	24.28
					04/05/05	10,000	0.2600	2,600.00	(10,000)	(1,385.78)	1,214.22
James, Kenneth Custodial for Jessica James Totals		22,155		28,360.90		22,155		22,851.15	0	0.00	(5,509.75)
James, Kenneth	Pre-Class holdings	6,120			06/30/00	1,000	10.7500				
	06/28/02	5,000	0.8300	4,150.00	09/30/02	2,780	0.2100	583.80	2,220	307.64	(3,258.56)
	11/14/02	1,200	0.7600	912.00	09/30/02	1,000	0.2101	210.10	(500)	(69.29)	(239.19)
	11/14/02	800	0.7600	608.00	09/30/02	600	0.2200	132.00	600	83.15	(684.85)
	07/24/03	2,500	0.7400	1,850.00	09/30/02	100	0.2200	22.00	700	97.00	(489.00)
	10/23/03	2,325	1.8800	4,371.00	11/14/02	2,000	0.6700	1,340.00	500	69.29	(440.71)
	10/23/03	340	1.8600	632.40	10/15/03	200	2.0000	400.00	2,125	294.48	(3,676.52)
	11/19/03	2,900	1.8200	5,278.00	10/15/03	300	2.0000	600.00	40	5.54	(26.86)
	02/04/04	662	1.7700	1,171.74	10/15/03	2,000	2.0000	4,000.00	900	124.72	(1,153.28)
	02/04/04	500	1.7700	885.00	11/04/03	1,285	1.9700	2,531.45	(623)	(86.33)	1,273.38
	02/04/04	1,138	1.7700	2,014.26	11/04/03	600	1.9800	1,188.00	(100)	(13.86)	289.14
	03/11/04	900	1.4400	1,296.00	11/04/03	100	1.9800	198.00	1,038	143.84	(1,672.42)
	03/11/04	1,900	1.4400	2,736.00	11/04/03	700	1.9800	1,386.00	200	27.72	117.72
	01/13/05	270	1.1300	305.10	01/20/04	2,600	1.9700	5,122.00	(700)	(97.00)	2,289.00
	01/13/05	400	1.1300	452.00	01/20/04	300	1.9800	594.00	(30)	(4.16)	284.74
	01/13/05	780	1.1300	881.40	03/08/04	655	1.8000	1,179.00	(255)	(35.34)	691.66
	01/13/05	1,000	1.1300	1,130.00	03/08/04	1,645	1.8000	2,961.00	(855)	(119.87)	1,959.73
	01/13/05	200	1.1300	226.00	06/24/04	700	1.6300	1,141.00	300	41.57	52.57
	01/13/05	500	1.1300	565.00	06/24/04	600	1.6300	978.00	(400)	(55.43)	696.57
					06/24/04	1,500	1.6300	2,445.00	(1,000)	(138.58)	1,741.42

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
James, Kenneth Totals	01/13/05	1,000	1.1300	1,130.00	04/05/05	500	0.2600	130.00	500	69.29	(930.71)
	01/13/05	260	1.1300	282.50	04/05/05	10,000	0.2600	2,600.00	(9,750)	(1,351.13)	966.37
	01/13/05	750	1.1300	847.50					750	103.93	(743.57)
	01/13/05	1,000	1.1300	1,130.00					1,000	138.58	(991.42)
	01/13/05	400	1.1300	452.00					400	55.43	(396.57)
	01/13/05	150	1.1300	169.50					150	20.79	(148.71)
	01/31/05	463	1.0500	486.15					463	64.16	(421.99)
	01/31/05	300	1.0500	315.00					300	41.57	(273.43)
	01/31/05	1,200	1.0500	1,260.00					1,200	166.29	(1,093.71)
	01/31/05	837	1.0500	878.85					837	115.99	(762.86)
	01/31/05	500	1.0500	525.00					500	69.29	(455.71)
	02/16/05	500	0.9100	455.00					500	69.29	(385.71)
James, Kenneth Totals		31,165		37,763.40		30,165		29,741.35	1,000	138.58	(7,883.47)
James, Kenneth IRA	Pre-Class holdings	45,575									
					10/15/03	2,000	2.0200				
					10/15/03	1,100	2.0300				
					10/15/03	900	2.0300				
					10/15/03	1,000	2.0300				
					10/15/03	3,000	2.0300				
					11/04/03	15,100	2.0900				
					11/04/03	100	2.0980				
					11/04/03	100	2.0990				
					11/04/03	200	2.1000				
					11/04/03	29	2.0900				
					11/04/03	200	2.1000				
					11/04/03	100	2.1080				
					11/04/03	100	2.1000				
					11/04/03	380	2.1000				
					11/04/03	2,000	2.1000				
					11/04/03	4,921	2.1000				
					11/04/03	3,500	2.1020				
					11/04/03	1,970	2.1050				
					11/04/03	2,030	2.1050				
					11/04/03	100	2.1100				
					11/04/03	5,000	2.1000				
					11/04/03	1,745	2.1000				
					45,575						
	07/16/03	700	0.6200	434.00	11/04/03	255	2.1000	535.50	445	61.67	163.17
	07/16/03	700	0.6200	434.00	11/04/03	1,400	2.1000	2,940.00	(700)	(97.00)	2,409.00
	07/16/03	1,000	0.6200	620.00	11/04/03	620	2.1000	1,302.00	380	52.66	734.66
	10/14/03	2,000	1.9300	3,860.00	11/04/03	4,000	2.1000	8,400.00	(2,000)	(277.16)	4,262.84
	10/14/03	3,000	1.9300	5,790.00	11/04/03	50	2.1000	105.00	2,950	408.80	(5,276.20)
	10/14/03	3,000	1.9300	5,790.00	11/04/03	2,500	2.1100	5,275.00	500	69.29	(445.71)
	10/15/03	9,000	1.8700	16,830.00	11/04/03	600	2.1100	1,266.00	8,400	1,164.05	(14,399.95)
	11/17/03	500	1.9000	950.00	11/04/03	100	2.1100	211.00	400	55.43	(683.57)
	11/17/03	1,800	1.9000	3,420.00	11/04/03	500	2.1110	1,055.50	1,300	180.15	(2,184.35)
	11/18/03	25	1.9000	47.50	11/04/03	200	2.1100	422.00	(175)	(24.25)	350.25
	11/18/03	50,800	1.9000	96,520.00	11/04/03	700	2.1100	1,477.00	50,100	6,942.75	(88,100.25)

Class Period: 05/10/02-04/08/05

## Xybernaut, Corp (NASDAQ:XYBRE)

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
	11/18/03	875	1.9000	1,662.50	11/04/03	500	2.1100	1,055.00	375	51.97	(555.53)
	03/01/04	1,000	1.7000	1,700.00	01/20/04	12,900	1.9700	25,413.00	(11,900)	(1,649.08)	22,063.92
	03/01/04	100	1.7000	170.00	01/20/04	100	1.9700	197.00	0	0.00	27.00
	03/01/04	1,500	1.7000	2,550.00	01/20/04	400	1.9700	788.00	1,100	152.44	(1,609.56)
	03/01/04	2,000	1.7000	3,400.00	01/20/04	500	1.9700	985.00	1,500	207.87	(2,207.13)
	03/01/04	150	1.7000	255.00	01/20/04	27,600	1.9700	54,372.00	(27,450)	(3,803.96)	50,313.04
	03/01/04	1,000	1.7000	1,700.00	01/20/04	5,000	1.9710	9,855.00	(4,000)	(554.31)	7,600.69
	03/01/04	100	1.7000	170.00	01/20/04	3,000	1.9710	5,913.00	(2,900)	(401.88)	5,341.12
	03/01/04	500	1.7000	850.00	01/20/04	2,000	1.9710	3,942.00	(1,500)	(207.87)	2,884.13
	03/01/04	209	1.7000	355.30	01/20/04	1,000	1.9710	1,971.00	(791)	(109.62)	1,506.08
	03/01/04	500	1.7000	850.00	01/20/04	100	1.9720	197.20	400	55.43	(597.37)
	03/01/04	200	1.7000	340.00	01/20/04	100	1.9750	197.50	100	13.86	(128.64)
	03/01/04	1,050	1.7000	1,785.00	01/20/04	100	1.9770	197.70	950	131.65	(1,455.65)
	03/01/04	5,000	1.7000	8,500.00	01/20/04	500	1.9780	989.00	4,500	623.60	(6,887.40)
	03/01/04	4,000	1.7000	6,800.00	01/20/04	700	1.9700	1,379.00	3,300	457.31	(4,963.69)
	03/01/04	500	1.7000	850.00	03/08/04	6,111	1.8000	10,999.80	(5,611)	(777.56)	9,372.24
	03/01/04	1,000	1.7000	1,700.00	03/08/04	600	1.8000	1,080.00	400	55.43	(564.57)
	03/01/04	100	1.7000	170.00	03/08/04	600	1.8001	1,080.06	(500)	(69.29)	840.77
	03/01/04	2,000	1.7000	3,400.00	03/08/04	600	1.8000	1,080.00	1,400	194.01	(2,125.98)
	03/01/04	24,500	1.7000	41,650.00	03/08/04	100	1.8000	180.00	24,400	3,381.30	(38,088.70)
	03/01/04	500	1.7000	850.00	03/08/04	1,100	1.8000	1,980.00	(600)	(83.15)	1,046.85
	03/01/04	500	1.7000	850.00	03/08/04	2,500	1.8000	4,500.00	(2,000)	(277.16)	3,372.84
	03/01/04	600	1.7000	1,020.00	03/08/04	540	1.8000	972.00	(40)	(5.54)	116.46
	03/01/04	500	1.7000	850.00	03/08/04	300	1.8000	540.00	300	41.57	(438.43)
	03/01/04	400	1.6990	679.60	03/08/04	250	1.8000	450.00	250	34.64	(365.36)
	03/01/04	388	1.6990	659.21	03/08/04	7,000	1.8000	12,600.00	(6,600)	(914.61)	11,005.79
	03/01/04	200	1.6990	339.80	03/08/04	500	1.8000	900.00	(112)	(15.52)	225.27
	03/01/04	500	1.7000	850.00	03/08/04	4,000	1.8000	7,200.00	(3,800)	(526.60)	6,333.60
	03/01/04	523	1.7000	889.10	03/08/04	2,000	1.8000	3,600.00	(1,500)	(207.87)	2,542.13
	03/01/04	100	1.7000	170.00	03/08/04	2,000	1.8000	3,600.00	(1,477)	(204.68)	2,506.22
	03/01/04	9,402	1.7000	15,983.40	03/08/04	5,000	1.8000	9,000.00	(4,900)	(679.03)	8,150.97
	03/01/04	600	1.7000	1,020.00	03/08/04	6,915	1.8000	12,447.00	2,487	344.64	(3,191.76)
	03/01/04	600	1.7000	1,019.40	03/08/04	300	1.8000	540.00	300	41.57	(438.43)
	03/01/04	600	1.6990	1,019.40	03/11/04	1,400	1.8000	2,520.00	(800)	(110.86)	1,389.74
	03/02/04	338	1.7000	574.60	12/07/04	27,676	1.2200	33,764.72	(27,338)	(3,788.44)	29,401.68
	03/02/04	440	1.7000	748.00	12/07/04	600	1.2300	738.00	(160)	(22.17)	(32.17)
	03/02/04	500	1.7000	850.00	04/05/05	145,000	0.2600	37,700.00	(144,500)	(20,024.49)	16,825.51
	03/02/04	500	1.7000	850.00	04/05/05	5,000	0.2600	1,300.00	(4,500)	(623.60)	(173.60)
	01/12/05	2,500	1.1400	2,850.00					400	55.43	(624.57)
	01/12/05	600	1.1400	684.00					2,500	346.44	(2,503.56)
	01/12/05	1,000	1.1400	1,140.00					600	83.15	(600.85)
	01/12/05	1,000	1.1400	1,140.00					1,000	138.58	(1,001.42)
	01/12/05	1,300	1.1400	1,482.00					1,000	138.58	(1,001.42)
	01/12/05	1,000	1.1400	1,140.00					1,300	180.15	(1,301.85)
	01/12/05	2,500	1.1400	2,850.00					1,000	138.58	(1,001.42)
	01/12/05	500	1.1400	570.00					2,500	346.44	(2,503.56)
	01/12/05	5,000	1.1400	5,700.00					500	69.29	(500.71)
	01/12/05	5,000	1.1400	5,700.00					5,000	692.89	(5,007.11)
	01/12/05	800	1.1400	912.00					5,000	692.89	(5,007.11)
									800	110.86	(801.14)



Class Period: 05/10/02-04/08/05

## Xyberaut, Corp (NASDAQ:XYBRE)

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
	01/12/05	200	1.1400	228.00					200	27.72	(200.28)
	01/12/05	600	1.1400	684.00					600	83.15	(600.85)
	01/12/05	3,200	1.1400	3,648.00					3,200	443.45	(3,204.55)
	01/12/05	2,600	1.1400	2,964.00					2,600	360.30	(2,603.70)
	01/12/05	2,000	1.1400	2,280.00					2,000	277.16	(2,002.84)
	01/12/05	2,000	1.1400	2,280.00					2,000	277.16	(2,002.84)
	01/12/05	700	1.1400	798.00					700	97.00	(701.00)
	01/12/05	600	1.1400	684.00					600	83.15	(600.85)
	01/12/05	1,300	1.1400	1,482.00					1,300	180.15	(1,301.85)
	01/12/05	300	1.1400	342.00					300	41.57	(300.43)
	01/12/05	600	1.1400	684.00					600	83.15	(600.85)
	01/12/05	1,100	1.1400	1,254.00					1,100	162.44	(1,101.56)
	01/12/05	3,100	1.1400	3,534.00					3,100	429.59	(3,104.41)
	01/12/05	500	1.1400	570.00					500	69.29	(500.71)
	01/12/05	24,670	1.1500	28,370.50					24,670	3,418.71	(24,951.79)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	950	1.1500	1,092.50					950	131.65	(960.85)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	400	1.1500	460.00					400	55.43	(404.57)
	01/12/05	300	1.1500	345.00					300	41.57	(303.43)
	01/12/05	500	1.1500	575.00					500	69.29	(505.71)
	01/12/05	300	1.1500	345.00					300	41.57	(303.43)
	01/12/05	400	1.1500	460.00					400	55.43	(404.57)
	01/12/05	300	1.1500	345.00					300	41.57	(303.43)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	2,400	1.1500	2,760.00					2,400	332.59	(2,427.41)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	900	1.1500	1,035.00					900	124.72	(910.28)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	700	1.1500	805.00					700	97.00	(708.00)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	900	1.1500	1,035.00					900	124.72	(910.28)
	01/12/05	600	1.1500	690.00					600	83.15	(606.85)
	01/12/05	2,700	1.1500	3,105.00					2,700	374.16	(2,730.84)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	300	1.1500	345.00					300	41.57	(303.43)
	01/12/05	300	1.1500	345.00					300	41.57	(303.43)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	600	1.1500	690.00					600	83.15	(606.85)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)

Class Period: 05/10/02-04/08/05

## Xybernaut, Corp (NASDAQ:XYBRE)

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	600	1.1500	690.00					600	83.15	(606.85)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	900	1.1500	1,035.00					900	124.72	(910.28)
	01/12/05	5,000	1.1500	5,750.00					5,000	692.89	(5,057.11)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	500	1.1400	570.00					500	69.29	(500.71)
	01/12/05	6,000	1.1500	6,900.00					6,000	831.47	(6,068.53)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	480	1.1500	552.00					480	66.52	(485.48)
	01/12/05	1,400	1.1500	1,610.00					1,400	194.01	(1,415.99)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	600	1.1500	690.00					600	83.15	(606.85)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	1,600	1.1500	1,840.00					1,600	221.72	(1,618.28)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	600	1.1500	690.00					600	83.15	(606.85)
	01/12/05	500	1.1500	575.00					500	69.29	(505.71)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	2,700	1.1500	3,105.00					2,700	374.16	(2,730.84)
	01/12/05	500	1.1500	575.00					500	69.29	(505.71)
	01/12/05	500	1.1500	575.00					500	69.29	(505.71)
	01/12/05	1,800	1.1500	2,070.00					1,800	249.44	(1,820.56)
	01/12/05	900	1.1500	1,035.00					900	124.72	(910.28)
	01/12/05	300	1.1500	345.00					300	41.57	(303.43)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	400	1.1500	460.00					400	55.43	(404.57)
	01/12/05	500	1.1500	575.00					500	69.29	(505.71)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	500	1.1500	575.00					500	69.29	(505.71)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	300	1.1500	345.00					300	41.57	(303.43)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	200	1.1500	230.00					200	27.72	(202.28)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	600	1.1500	690.00					600	83.15	(606.85)
	01/12/05	2,000	1.1400	2,280.00					2,000	277.16	(2,002.84)
	01/12/05	500	1.1400	570.00					500	69.29	(500.71)
	01/12/05	200	1.1400	228.00					200	27.72	(200.28)
	01/12/05	900	1.1400	1,026.00					900	124.72	(901.28)
	01/12/05	1,300	1.1500	1,495.00					1,300	180.15	(1,314.85)
	01/12/05	1,200	1.1400	1,368.00					1,200	166.29	(1,201.71)
	01/12/05	500	1.1400	570.00					500	69.29	(500.71)
	01/12/05	200	1.1400	228.00					200	27.72	(200.28)

Class Period: 05/10/02-04/08/05

## Xyberaut, Corp (NASDAQ:XYBRE)

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
James, Kenneth IRA Totals	01/12/05	1,000	1.1400	1,140.00					1,000	138.58	(1,001.42)
	01/12/05	800	1.1400	912.00					800	110.86	(801.14)
	01/12/05	1,000	1.1400	1,140.00					1,000	138.58	(1,001.42)
	01/12/05	800	1.1400	912.00					800	110.86	(801.14)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	01/12/05	400	1.1500	460.00					400	55.43	(404.57)
	01/12/05	1,100	1.1500	1,265.00					1,100	152.44	(1,112.56)
	01/12/05	100	1.1500	115.00					100	13.86	(101.14)
	01/12/05	2,500	1.1500	2,875.00					2,500	346.44	(2,528.56)
	01/12/05	1,000	1.1500	1,150.00					1,000	138.58	(1,011.42)
	02/16/05	250	0.8900	222.50					250	34.64	(187.86)
	03/11/05	4,682	0.7100	3,324.22					4,682	648.82	(2,675.40)
	03/11/05	600	0.7100	426.00					600	83.15	(342.85)
	03/11/05	600	0.7100	426.00					600	83.15	(342.85)
	03/11/05	935	0.7100	663.85					935	129.57	(534.28)
	03/11/05	350	0.7100	248.50					350	48.50	(200.00)
	03/11/05	1,500	0.7100	1,065.00					1,500	207.87	(857.13)
	03/11/05	500	0.7100	355.00					500	69.29	(285.71)
James, Kenneth IRA Totals		285,517		410,291.48		285,517		279,211.98	0	0.00	(131,079.50)
James, Kenneth Grand Totals		338,837		476,415.78		337,837		331,804.48	1,000	138.58	(144,472.72)
Pietro, La Rocca Franco	07/01/03	1,700	0.5700	969.00	07/02/03	3,000	0.5800	1,740.00	(1,300)	(180.15)	590.85
	07/01/03	600	0.5700	342.00	03/04/04	600	1.7310	1,038.60	0	0.00	596.60
	07/01/03	700	0.5700	399.00	03/04/04	1,790	1.7300	3,096.70	(1,090)	(151.05)	2,546.65
	03/02/04	600	1.6894	1,013.64	03/04/04	500	1.7300	865.00	100	13.86	(134.78)
	03/02/04	400	1.6890	675.60	03/04/04	1,000	1.7300	1,730.00	(600)	(83.15)	971.25
	03/02/04	300	1.6900	507.00	03/04/04	3,885	1.7300	6,721.05	(3,585)	(496.80)	5,717.25
	03/02/04	1,600	1.6890	2,702.40	03/04/04	310	1.7300	536.30	1,290	178.77	(1,987.33)
	03/02/04	900	1.6900	1,521.00	03/04/04	3,200	1.2100	3,872.00	(2,300)	(318.73)	2,032.27
	03/02/04	1,000	1.6900	1,690.00	11/11/04	500	1.1700	585.00	500	69.29	(1,035.71)
	03/02/04	1,600	1.6900	2,704.00	11/11/04	100	1.1600	116.00	1,500	207.87	(2,380.13)
	03/02/04	1,585	1.6900	2,678.65	11/11/04	3,000	1.1600	3,480.00	(1,415)	(196.09)	605.26
	03/02/04	15	1.6900	25.35	11/11/04	1,600	1.1600	1,856.00	(1,585)	(219.65)	1,611.00
	03/02/04	85	1.6893	143.59	11/11/04	800	1.1600	928.00	(715)	(99.08)	685.33
	03/11/04	1,000	1.4100	1,410.00	04/01/05	1,791	0.2010	359.99	(791)	(109.62)	(1,159.62)
	03/11/04	2,600	1.4100	3,666.00	04/01/05	3,000	0.2010	603.00	(400)	(55.43)	(3,118.43)
	03/11/04	2,410	1.4100	3,398.10	04/01/05	10,000	0.2010	2,010.00	(7,590)	(1,051.81)	(2,439.91)
	08/04/04	300	1.2800	384.00	04/01/05	1,000	0.2000	200.00	(700)	(97.00)	(281.00)
	08/04/04	1,500	1.2800	1,920.00	04/01/05	1,000	0.2000	200.00	500	69.29	(1,650.71)
	08/04/04	10	1.2800	12.80	04/01/05	4,000	0.2000	800.00	(3,990)	(552.93)	234.27
	04/12/04	400	1.3798	551.92	04/01/05	4,209	0.2000	841.80	(3,809)	(527.84)	(237.96)
	04/12/04	1,900	1.3799	2,621.81	04/01/05	5,791	0.2000	1,158.20	(3,891)	(539.21)	(2,002.82)
	04/12/04	100	1.3799	137.99	04/01/05	19,209	0.2000	3,841.80	(19,109)	(2,848.08)	1,055.73
	04/12/04	3,400	1.3800	4,692.00	04/01/05	4,900	0.2020	989.80	(1,500)	(207.87)	(3,910.07)
	04/12/04	300	1.3800	414.00	04/01/05	1,000	0.2020	202.00	(700)	(97.00)	(309.00)
	04/12/04	1,000	1.3800	1,380.00	04/01/05	2,800	0.2020	565.60	(1,800)	(249.44)	(1,063.84)
	04/12/04	700	1.3800	966.00	04/01/05	1,300	0.2000	260.00	(600)	(83.15)	(789.15)

Class Period: 05/10/02-04/08/05

## Xyberaut, Corp (NASDAQ:XYBRE)

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	COST	PURCHASE AMOUNT	DATE	SHARES	PRICE	SALES AMOUNT			
	04/12/04	1,100	1.3800	1,518.00	04/01/05	5,000	0.2000	1,000.00	(3,900)	(540.45)	(1,058.45)
	04/12/04	1,000	1.3800	1,380.00	04/01/05	5,000	0.2000	1,000.00	(4,000)	(554.31)	(934.31)
	04/12/04	100	1.3800	138.00	04/01/05	1,000	0.2000	200.00	(900)	(124.72)	(62.72)
	04/12/04	500	1.3800	690.00	04/01/05	1,500	0.2000	300.00	(1,000)	(138.58)	(528.58)
	04/12/04	300	1.3800	414.00	04/01/05	400	0.2000	80.00	(1,000)	(13.86)	(347.86)
	04/12/04	400	1.3800	552.00	04/01/05	2,700	0.2000	540.00	(2,300)	(318.73)	(330.73)
	04/12/04	500	1.3800	690.00	04/01/05	400	0.2000	80.00	100	13.86	(596.14)
	04/12/04	300	1.3800	414.00	04/01/05	2,300	0.2000	460.00	(2,000)	(277.16)	(231.16)
	04/12/04	100	1.3800	138.00	04/01/05	3,700	0.2000	740.00	(3,600)	(498.88)	103.12
	04/12/04	2,000	1.3800	2,760.00	04/01/05	500	0.2000	100.00	1,500	207.87	(2,452.13)
	04/12/04	1,600	1.3800	2,208.00	04/01/05	3,200	0.2000	640.00	(1,600)	(221.72)	(1,789.72)
	04/12/04	1,200	1.3800	1,656.00	04/01/05	1,300	0.2020	262.60	(100)	(13.86)	(1,407.26)
	04/12/04	700	1.3800	966.00	04/01/05	4,600	0.2000	920.00	(3,900)	(540.45)	(586.45)
	04/12/04	2,000	1.3800	2,760.00	04/01/05	200	0.2000	40.00	1,800	249.44	(2,470.56)
	04/12/04	2,300	1.3800	3,174.00	04/01/05	600	0.2000	120.00	1,700	235.58	(2,818.42)
	04/12/04	300	1.3800	414.00	04/01/05	1,300	0.2000	260.00	(1,000)	(138.58)	(292.58)
	04/12/04	300	1.3800	414.00	04/01/05	500	0.2000	100.00	(200)	(27.72)	(341.72)
	04/12/04	1,100	1.3800	1,518.00	04/01/05	5,200	0.2000	1,040.00	(4,100)	(568.17)	(1,046.17)
	04/12/04	900	1.3800	1,242.00	04/01/05	600	0.2000	120.00	300	41.57	(1,080.43)
	04/12/04	400	1.3800	552.00	04/01/05	2,800	0.2300	644.00	(2,400)	(332.59)	(240.59)
	04/12/04	100	1.3800	138.00	04/01/05	8,000	0.2300	1,840.00	(7,900)	(1,094.76)	607.24
	04/12/04	1,500	1.3800	2,070.00	04/01/05	3,800	0.2300	874.00	(2,300)	(318.73)	(1,514.73)
	04/12/04	1,600	1.3800	2,208.00	04/01/05	10,000	0.2300	2,300.00	(8,400)	(1,164.05)	(1,072.05)
	04/12/04	600	1.3799	827.94	04/01/05	7,750	0.2300	1,782.50	(7,150)	(990.83)	(36.27)
	04/12/04	300	1.3800	414.00					300	41.57	(372.43)
	04/12/04	3,500	1.3800	4,830.00					3,500	485.02	(4,344.98)
	04/12/04	1,300	1.3800	1,794.00					1,300	180.15	(1,613.85)
	04/12/04	700	1.3800	966.00					700	97.00	(869.00)
	04/12/04	100	1.3800	138.00					100	13.86	(124.14)
	04/12/04	300	1.3800	414.00					300	41.57	(372.43)
	04/12/04	200	1.3800	276.00					200	27.72	(248.28)
	04/12/04	1,000	1.3800	1,380.00					1,000	138.58	(1,241.42)
	04/12/04	8,500	1.3800	11,730.00					8,600	1,177.91	(10,552.09)
	04/12/04	57	1.3800	78.66					57	7.90	(70.76)
	04/12/04	100	1.3800	138.00					100	13.86	(124.14)
	04/12/04	100	1.3800	138.00					100	13.86	(124.14)
	04/12/04	1,100	1.3800	1,518.00					1,100	152.44	(1,365.56)
	04/12/04	100	1.3800	138.00					100	13.86	(124.14)
	04/12/04	243	1.3800	335.34					243	33.67	(301.67)
	04/12/04	900	1.3800	1,242.00					900	124.72	(1,117.28)
	10/01/04	2,390	1.1200	2,676.80					2,390	331.20	(2,345.60)
	10/01/04	810	1.1200	907.20					810	112.25	(794.95)
	10/27/04	3,200	1.1700	3,744.00					3,200	443.45	(3,300.55)
	10/27/04	2,180	1.1600	2,528.80					2,180	302.10	(2,226.70)
	11/02/04	165	1.2900	212.85					165	22.87	(189.98)
	11/02/04	600	1.2900	774.00					600	83.15	(690.85)
	11/02/04	1,100	1.2900	1,419.00					1,100	152.44	(1,266.56)
	11/02/04	500	1.2900	645.00					500	69.29	(575.71)
	11/02/04	200	1.2900	258.00					200	27.72	(230.28)
	11/02/04	1,500	1.2900	1,935.00					1,500	207.87	(1,727.13)

Class Period: 05/10/02-04/08/05

## Cybernaut, Corp (NASDAQ:XYBRE)

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
Aydennaut, Corp (NASDAQ:XYBRE)	11/02/04	600	1.2881	772.86					600	83.15	(689.71)
	11/02/04	400	1.2900	516.00					400	55.43	(460.57)
	11/02/04	600	1.2900	774.00					600	83.15	(690.85)
	11/02/04	200	1.2900	258.00					200	27.72	(230.28)
	11/02/04	1,100	1.2900	1,419.00					1,100	152.44	(1,266.56)
	11/02/04	200	1.2882	257.64					200	27.72	(229.92)
	11/02/04	500	1.2900	645.00					500	69.29	(575.71)
	11/02/04	200	1.2900	258.00					200	27.72	(230.28)
	11/02/04	400	1.2900	516.00					400	55.43	(460.57)
	11/02/04	600	1.2900	774.00					600	83.15	(690.85)
	11/02/04	500	1.2900	645.00					500	69.29	(575.71)
	11/02/04	4	1.2900	5.16					4	0.55	(4.61)
	11/02/04	4,000	1.2900	5,160.00					4,000	554.31	(4,605.69)
	11/02/04	400	1.2900	516.00					400	55.43	(460.57)
	11/02/04	1,000	1.3000	1,300.00					1,000	138.58	(1,161.42)
	11/02/04	600	1.3000	780.00					600	83.15	(696.85)
	11/02/04	400	1.3000	520.00					400	55.43	(464.57)
	11/02/04	1,000	1.3000	1,300.00					1,000	138.58	(1,161.42)
	11/02/04	7,700	1.3000	10,010.00					7,700	1,067.05	(8,942.95)
	11/02/04	400	1.3000	520.00					400	55.43	(464.57)
	11/02/04	600	1.3000	780.00					600	83.15	(696.85)
	11/02/04	100	1.3000	130.00					100	13.86	(116.14)
	11/02/04	2,000	1.3000	2,600.00					2,000	277.16	(2,322.84)
	11/02/04	31	1.3000	40.30					31	4.30	(36.00)
	11/02/04	970	1.3000	1,261.00					970	134.42	(1,126.58)
	11/02/04	8,200	1.3000	10,660.00					8,200	1,136.34	(9,523.66)
	11/02/04	130	1.3000	169.00					130	18.02	(150.98)
	11/04/04	600	1.1900	714.00					600	83.15	(630.85)
	11/16/04	5,300	1.1000	5,830.00					5,300	734.46	(5,095.54)
	11/16/04	500	1.1000	550.00					500	69.29	(480.71)
	12/17/04	750	1.2800	960.00					750	103.93	(856.07)
	12/17/04	800	1.2800	1,024.00					800	110.86	(913.14)
	03/10/05	1,800	0.7390	1,330.20					1,800	249.44	(1,080.76)
	03/10/05	500	0.7400	370.00					500	69.29	(300.71)
	03/18/05	200	0.6210	124.20					200	27.72	(96.48)
	03/18/05	600	0.6210	372.60					600	83.15	(289.45)
03/18/05	200	0.6220	124.40					200	27.72	(96.68)	
03/18/05	200	0.6240	124.80					200	27.72	(97.08)	
03/18/05	200	0.6250	125.00					200	27.72	(97.28)	
03/18/05	200	0.6250	125.00					200	27.72	(97.28)	
03/18/05	200	0.6270	125.40					200	27.72	(97.58)	
03/18/05	200	0.6280	125.60					200	27.72	(97.68)	
03/18/05	200	0.6280	125.60					200	27.72	(97.88)	
03/18/05	200	0.6300	126.00					200	27.72	(97.88)	
03/18/05	200	0.6300	126.00					200	27.72	(98.28)	
03/18/05	200	0.6300	126.00					200	27.72	(98.28)	
03/18/05	300	0.6300	189.00					300	41.57	(147.43)	
03/18/05	200	0.6300	126.00					200	27.72	(98.28)	
03/18/05	500	0.6300	315.00					500	69.29	(245.71)	
03/18/05	600	0.6300	378.00					600	83.15	(294.85)	

Hold price: \$0.138

Hold price: \$0.1386

Class Period: 05/10/02-04/08/05

## Xybernaut, Corp (NASDAQ:XYBRE)

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
Pietro, La Rocca Franco Totals	03/18/05	7,900	0.6300	4,977.00					7,900	1,094.76	(3,882.24)
	03/18/05	500	0.6300	315.00					500	69.29	(245.71)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	200	0.6201	124.02					200	27.72	(96.30)
	03/18/05	500	0.6300	315.00					500	69.29	(245.71)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	100	0.6300	63.00					100	13.86	(49.14)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	200	0.6201	124.02					200	27.72	(96.30)
	03/18/05	100	0.6300	63.00					100	13.86	(49.14)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	500	0.6300	315.00					500	69.29	(245.71)
	03/18/05	600	0.6201	372.06					600	83.15	(288.91)
	03/18/05	200	0.6210	124.20					200	27.72	(96.48)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	500	0.6300	315.00					500	69.29	(245.71)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	1,000	0.6300	630.00					1,000	138.58	(491.42)
	03/18/05	100	0.6300	63.00					100	13.86	(49.14)
	03/18/05	100	0.6300	63.00					100	13.86	(49.14)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	400	0.6290	251.60					400	55.43	(196.17)
	03/18/05	600	0.6280	376.80					600	83.15	(293.65)
	03/18/05	600	0.6299	377.94					600	83.15	(294.79)
	03/18/05	100	0.6300	63.00					100	13.86	(49.14)
	03/18/05	100	0.6300	63.00					100	13.86	(49.14)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	1,000	0.6300	630.00					1,000	138.58	(491.42)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	200	0.6300	126.00					200	27.72	(98.28)
	03/18/05	6,500	0.6300	4,095.00					6,500	900.76	(3,194.24)
	03/18/05	1,600	0.6300	1,008.00					1,600	221.72	(786.28)
	11/02/04	600	1.2900	774.00					600	83.15	(690.85)
	11/19/04	200	1.1000	220.00					200	27.72	
		152,635		179,630.84		152,635		54,039.94	0	0.00	(125,398.62)
Farnakis, Michael A.		3,000			08/18/03	3,000	0.7500				
Pre class holdings		5,000	0.8500	4,250.00	08/18/03	45,000	0.7500	33,750.00	(40,000)	(5,543.11)	23,956.89
		5,000	0.7800	3,900.00	04/27/05	10,000	0.2231	2,231.00	(5,000)	(692.89)	(2,361.89)
		2,000	0.6100	1,220.00	04/27/05	10,000	0.2231	2,231.00	(8,000)	(1,108.62)	(97.62)
		3,000	0.8000	2,400.00	04/27/05	10,000	0.2231	2,231.00	(7,000)	(970.04)	(1,139.04)
		2,000	0.6400	1,280.00	04/27/05	5,000	0.2231	1,115.50	(3,000)	(415.73)	(580.23)
		2,000	0.6000	1,200.00	04/27/05	5,000	0.2231	1,115.50	(3,000)	(415.73)	(580.23)
		3,000	0.5200	1,560.00	04/27/05	5,000	0.2231	1,115.50	(2,000)	(277.16)	(721.66)
		3,000	0.5000	1,500.00	04/27/05	5,000	0.2231	1,115.50	(2,000)	(277.16)	(661.66)

Class Period: 05/10/02-04/08/05

## Xyberaut, Corp (NASDAQ:XYBRE)

Hold price: \$0.1386

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
Farmakis, Michael A. Totals	12/26/02	5,000	0.5700	2,850.00	04/27/05	5,000	0.2231	1,115.50	0	0.00	(1,734.50)
	03/10/03	8,000	0.3700	2,960.00	04/27/05	5,000	0.2231	1,115.50	3,000	415.73	(1,428.77)
	03/14/03	5,000	0.3500	1,750.00	04/27/05	1,000	0.2231	223.10	4,000	554.31	(972.59)
	03/25/03	2,000	0.4200	840.00	04/27/05	1,000	0.2231	223.10	1,000	138.58	(478.32)
	08/25/03	10,000	0.7500	7,500.00	04/27/05	2,000	0.2231	446.20	8,000	1,108.62	(5,945.18)
	10/09/03	10,000	1.8300	18,300.00					10,000	1,385.78	(16,914.22)
	10/22/03	10,000	1.9000	19,000.00					10,000	1,385.78	(17,614.22)
	11/17/03	5,000	1.9300	9,650.00					5,000	692.89	(8,957.11)
	11/20/03	5,000	1.7400	8,700.00					5,000	692.89	(8,007.11)
	03/08/04	2,900	1.8000	5,220.00					2,900	401.88	(4,818.12)
	04/16/04	5,000	1.3300	6,650.00					5,000	692.89	(5,957.11)
	04/23/04	5,000	1.2900	6,450.00					5,000	692.89	(5,757.11)
	06/10/04	5,000	1.5100	7,550.00					5,000	692.89	(6,857.11)
	06/16/04	5,000	1.5300	7,650.00					5,000	692.89	(6,957.11)
	08/12/04	1,000	1.1700	1,170.00					1,000	138.58	(1,031.42)
	08/12/04	1,000	1.1700	1,170.00					1,000	138.58	(1,031.42)
	11/05/04	2,000	1.1700	2,340.00					2,000	277.16	(2,062.84)
		111,900		127,060.00		109,000		48,028.40	2,900	401.88	(78,629.72)
Pennington, David S.- Ameritrade Account	10/09/02	1,000	0.2400	240.00	09/09/03	10,000	1.0000	10,000.00	(9,000)	(1,247.20)	8,512.80
	10/28/02	2,500	0.2220	555.00	09/09/03	10,000	1.0000	10,000.00	(7,500)	(1,039.33)	8,405.67
	10/29/02	7,500	0.2220	1,665.00	09/09/03	10,000	1.0000	10,000.00	(2,500)	(346.44)	7,988.56
	11/27/02	9,000	0.8200	7,380.00	10/27/04	1,000	1.1500	1,150.00	8,000	1,108.62	(5,121.38)
	12/13/02	10,000	0.6220	6,220.00					10,000	1,385.78	(4,834.22)
	01/24/03	10,000	0.5100	5,100.00					10,000	1,385.78	(3,714.22)
	01/29/03	10,000	0.4500	4,500.00					10,000	1,385.78	(3,114.22)
	08/28/03	10,000	0.7200	7,200.00					10,000	1,385.78	(5,814.22)
	10/03/03	10,000	1.8500	18,500.00					10,000	1,385.78	(17,114.22)
	10/03/03	10,000	1.8400	18,400.00					10,000	1,385.78	(17,014.22)
	10/13/03	1,000	1.7700	1,770.00					1,000	138.58	(1,631.42)
Pennington, David S.- Ameritrade Account Totals		81,000		71,530.00		31,000		31,150.00	50,000	6,928.89	(33,451.11)
Pennington, David S.- Etrade Account	Pre-Class				11/02/04	100	1.2600				
					100						
Pennington, David S.- Etrade Account Totals	12/02/03	10,000	1.7500	17,500.00	11/02/04	1,900	1.2600	2,394.00	8,100	1,122.48	(13,983.52)
	12/02/03	10,000	1.7500	17,500.00	11/02/04	38,000	1.2500	47,500.00	(28,000)	(3,880.18)	26,119.82
	12/02/03	10,000	1.7500	17,500.00					10,000	1,385.78	(16,114.22)
	12/02/03	5,000	1.7500	8,750.00					5,000	692.89	(8,057.11)
	12/04/03	5,000	1.6800	8,400.00					5,000	692.89	(7,707.11)
Pennington, David S.- Etrade Account Totals		40,000		69,650.00		39,900		49,894.00	100	13.86	(19,742.14)
Pennington, David Grand Totals		121,000		141,180.00		70,900		81,044.00	50,100	6,942.75	(53,193.25)



Class Period: 05/10/02-04/08/05

## Xybernaut, Corp (NASDAQ:XYBRE)

PLAINTIFF	PURCHASE TRANSACTIONS				SALES TRANSACTIONS (1)				SHARES HELD	ESTIMATED VALUE (2)	ESTIMATED LOSSES
	DATE	SHARES	SHARE COST	PURCHASE AMOUNT	DATE	SHARES	SHARE PRICE	SALES AMOUNT			
Donnelly, Christina IRA	12/23/02	3,000	0.5200	1,560.00					3,000	415.73	(1,144.27)
	04/13/04	500	1.3800	690.00					500	69.29	(620.71)
	11/04/04	2,000	1.2200	2,440.00					2,000	277.16	(2,162.84)
<b>Donnelly, Christina IRA Totals</b>		<b>5,500</b>		<b>4,690.00</b>		<b>0</b>		<b>0.00</b>	<b>5,500</b>	<b>762.18</b>	<b>[3,927.82]</b>
Donnelly, Christina	06/21/02	500	0.9000	450.00					500	69.29	(380.71)
	06/21/02	500	0.9100	455.00					500	69.29	(385.71)
	06/21/02	1,000	0.9000	900.00					1,000	138.58	(761.42)
	11/07/02	4,200	0.5600	2,352.00					4,200	582.03	(1,769.97)
	11/07/02	4,800	0.5700	2,736.00					4,800	665.17	(2,070.83)
	11/11/02	5,000	0.5600	2,800.00					5,000	692.89	(2,107.11)
	11/25/02	2,000	0.7000	1,400.00					2,000	277.16	(1,122.84)
	12/05/02	1,000	0.6800	680.00					1,000	138.58	(541.42)
	04/16/03	3,500	0.4200	1,470.00					3,500	485.02	(984.98)
	11/14/03	2,000	1.9600	3,920.00					2,000	277.16	(3,642.84)
	02/19/04	2,000	1.7900	3,580.00					2,000	277.16	(3,302.84)
	08/04/04	800	1.3100	1,048.00					800	110.86	(937.14)
	10/27/04	1,000	1.2200	1,220.00					1,000	138.58	(1,081.42)
	02/16/05	500	0.9100	455.00					500	69.29	(385.71)
	02/16/05	500	0.9400	470.00					500	69.29	(400.71)
	02/28/05	1,500	0.8300	1,245.00					1,500	207.87	(1,037.13)
	03/17/05	1,000	0.6100	610.00					1,000	138.58	(471.42)
<b>Donnelly, Christina Totals</b>		<b>31,800</b>		<b>25,791.00</b>		<b>0</b>		<b>0.00</b>	<b>31,800</b>	<b>4,406.77</b>	<b>[21,384.23]</b>
<b>Donnelly, Christina Grand Total</b>		<b>37,300</b>		<b>30,481.00</b>		<b>0</b>		<b>0.00</b>	<b>37,300</b>	<b>5,168.95</b>	<b>[25,312.05]</b>
<b>GRAND TOTALS</b>		<b>761,672</b>		<b>954,767.62</b>		<b>670,372</b>		<b>514,916.82</b>	<b>91,300</b>	<b>12,652.15</b>	<b>[427,006.37]</b>

(1) Sales have been applied on a FIFO basis.

(2) Shares held through the date of this filing have been valued using the average price \$0.1386 per share.

(3) Sales within 90 days from the end of the class period were valued at the average closing price from the end of the class period until the date of the sale.